

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DARRELL LAMONT BAILEY,)	
)	
Petitioner,)	No C 07-2246 VRW (PR)
)	
vs.)	ORDER DENYING
)	CERTIFICATE OF
SUPERIOR COURT, et al,)	APPEALABILITY
)	
Respondent(s).)	(Doc # 9)
_____)	

Petitioner has filed a request for a certificate of appealability pursuant to 28 USC § 2253(c) and Federal Rule of Appellate Procedure 22(b), which the court also construes as a notice of appeal.

A certificate of appealability (doc #9) is DENIED because petitioner has not made "a substantial showing of the denial of a constitutional right." 28 USC § 2253(c)(2). Petitioner has not demonstrated that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling." Slack v McDaniel, 529 US 473, 484 (2000).

The clerk shall forward to the court of appeals the case file with this order. See United States v Asrar, 116 F3d 1268, 1270 (9th Cir 1997).

SO ORDERED.



VAUGHN R WALKER
United States District Chief Judge